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Administrative Policy Statement 57.9

Departmental Guidelines for the Release of University Records

(Approved by the Vice President for University Relations by authority of Executive Order No. 11)

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1. Overview

These guidelines outline the actions to be taken by University departments and the Office of Public Records and Open Public Meetings in responding to requests for records.

2. Laws Governing the Release of Records

The University is required to comply with several laws governing the release of records:

A. The State of Washington Public Disclosure Act

The state of Washington's Public Disclosure Act ([Chapter 42.17 RCW](#)) requires that public records be made available for inspection and copying unless they are exempt from disclosure. (Other records disclosure laws which apply to certain records are given in Sections [2.B](#) and [2.C](#) which follow.)

These guidelines provide the procedures for departments to follow. In addition, the University's rules governing access to public records are located in [Chapter 478-276 WAC](#).

Departments should respond to routine requests according to the past practices described below. When requests are received which do not fit past practices, such requests must **not** be denied, but should be referred to the Director in the Office of Public Records and Open Public Meetings.

B. The Family Educational Rights and Privacy Act

The federal [Family Educational Rights and Privacy Act](#) (P.L. 93-380)

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applies only to **personally identifiable student education** records.

This law requires the University to allow students access to their own educational records and to release only student directory information to third parties unless the consent of the student to the release of records is given (also, see [Chapter 478-140 WAC](#), "Rules and Regulations Governing Disclosure of Student Records").

Inquiries concerning student education records should be referred to the Office of the Registrar.

C. Other Records Disclosure Laws

Questions regarding the following laws may be directed to the Director of Public Records and Open Public Meetings:

- Washington State Criminal Records Privacy Act ([Chapter 10.97 RCW](#)), governing University Police investigatory files.
- Freedom of Information Act (P.L. 93-520), governing the release of certain grant and contract records subject to federal regulations.

3. Departmental Release of Records According to Past Practices

A. General Policy

Routine requests for University personnel and business records should be handled by the departments according to past practices. In these guidelines, the words **employee** and **personnel** will be used to include both faculty and staff unless specifically stated otherwise.

B. Interdepartmental Requests Within the University

When departments request records from other departments for the normal conduct of University business, they are not governed by the Public Disclosure Law but by internal policy. It is the University's practice to release personnel records only to administrators when required for the discharge of their University responsibilities, with the exception of staff employees' performance evaluations (see [Section 5.B](#) for further detail).

C. Subpoena of Record

When a subpoena, summons, search warrant, or other court order is presented, the custodian of the records must call the Attorney General's Division for legal counsel. A subpoena is an action separate from a request under the disclosure laws.

D. Requests from Outside the University

1) Information Required By Government Agencies—The Payroll Office and the University's Internal Audit Office are responsible for releasing their records to federal and state agencies as required by law.

2) Employment Verification—The Payroll Office and the Academic Human Resources Office are responsible for verifying employment. Requests must be made in writing. The basic information that can be released includes the following:

- Employee's name.
- Employee's title and department.
- Employment dates.
- Information published in the *UW Faculty/Staff Directory*.
- Salary data.

E. Requests for Employee Records by Government Agents or Police Officers

The requester's name and identification should be obtained before releasing any information.

1) Security Clearance—A statement signed by the employee authorizing the release of information should be obtained prior to the release. Release only the information requested on the form provided by the agent. In the absence of an authorization, verify employment as described above.

2) Law Violation Investigation—A police officer should produce a subpoena or some other form of a court order. In this case, follow the directions as given in Section 3.c, "Subpoena of Record." In the absence of a subpoena, release only the following:

- Employee's name.
- Employee's title and department.
- Employment dates.
- Information published in the *UW Faculty/Staff Directory*.
- Salary data.

F. Medical Centers' Patient Records

Requests should be made to the appropriate medical centers' Patient Data Services offices which will be answered according to each medical center's policy.

4. Records Requests Handled by the Director of Public Records and Open Public Meetings

A. Responsibilities

The Director of Public Records and Open Public Meetings responds to requests for records which are not in accordance with past practices and advises departments regarding the laws which apply to public records.

B. Procedures

#1 Upon receiving a request, the Director of Public Records and Open

Public Meetings obtains the records from the office of origin, determines the records' status under the Public Disclosure Act, and makes the appropriate records available to the requester at the Office of Public Records and Open Public Meetings.

#2 If requested, the necessary arrangements are made for copying records.

#3 If, under the Public Disclosure Act, records are exempt from disclosure, the Director of Public Records and Open Public Meetings notifies the requester in writing. If that decision is appealed, the Director of Public Records and Open Public Meetings forwards the appeal to the President's Office.

#4 Records are returned to the office of origin when the process has been completed.

C. Examples of Records Requests

The following are examples of records requests processed by the Director of Public Records and Open Public Meetings:

- Records that document any University deliberative process or proceeding.
- Documents generated during the University's purchasing process.
- Research grant administration records.
- Government research records where regulations of the funding agency may dictate special requirements regarding access under the Freedom of Information Act.
- Budget and payroll records that are not available to the public in the Visitors Information Center or the reference desk in Suzzallo Library.
- Former employees' own personnel records.
- Personnel records of an employee requested by his/her designated agent (i.e., an attorney, union representative, relative, or other person) which require written authorization from the employee.
- Requests by third parties, including former employees, for personnel records other than employment verification (as described in [Section 3.D.2](#), "Employment Verification").
- Employees who, for personal rather than job-related reasons, want access to University records that would not normally be available to them.

5. Requests by Employees for Their Own Personnel Records

A. General Procedures

Employees may make such requests either to the Director of Public Records and Open Public Meetings or the custodian of the records. If records from several offices are desired, the employee may find it more convenient to apply to the Director of Public Records and Open Public Meetings to coordinate their release. In addition, the following procedures apply to specific requests:

- 1) Staff Employees**—Upon written request by an employee to the appropriate human resources office, arrangements are made to allow the employee or employee representative to review the individual's personnel file at the human resources office.
- 2) Faculty Members**—Faculty members who have filed petitions with the Faculty Adjudication Committee should check with the Vice Provost for Academic Affairs in the Provost's Office before applying to the Director of Public Records and Open Public Meetings.

B. Procedures for Staff Employees' Performance Evaluations

A copy of the final performance evaluation will be made available to the employee after the evaluation interview. Performance evaluations can be released only to the employee, the supervisor, and the supervisor's superior. It is the employing department's responsibility to maintain these as well as all other personnel records in a locked or secured file. The performance evaluations must be destroyed at the end of three years.

6. Requests for Non-University Records**A. Attorney General's Division at the University**

Requests for Attorney General's records should be made to:

Attorney General
Temple of Justice
P.O. Box 40100
Olympia, WA 98504-0100.

B. Washington Personnel Resources Board

The Washington Personnel Resources Board (WPRB) rules (Titles [251](#) and [359](#) WAC) and job specifications are available at the Visitors Information Center. Requests for any other WPRB records should be made to:

Washington Personnel Resources Board
521 Capitol Way S., P.O. Box 47500
Olympia, WA 98504-7500

7. Additional Information

- Executive Director, Admissions and Records:

Location:	328 Schmitz Hall
Phone:	206-543-9686
Campus mail:	Box 355840

- Office of Public Records and Open Public Meetings:
 - Location: 4014 University Way N.E.
 - Phone: 206-543-9180
 - Campus mail: Box 355502

- Attorney General's Office, UW Division:
 - Phone: 206-543-4150

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